

Minutes

Town of Otego Planning Board

August 21, 2018

REGULAR PLANNING BOARD MEETING

APPROVED

Douglas Yager-Special Use Permit Application- For a small engine repair shop- 3797 State Highway 7 - TM # 308.00-1-16.02:

The Public Hearing started at 6:38 pm.

The Planning Board opened the public hearing. No members of the public came forward to speak at the Public Hearing. The Codes Officer received one letter regarding the application from neighbor Daniel Webster, who stated that he had concerns over shared driveway use at the site. He stated that the driveway was occasionally blocked during garage sales over the summer. The driveway is used to access Mr. Yager's property and would be used to access the repair shop.

MOTION to close the Public Hearing.

Motion by Elizabeth Callahan and seconded by Lois Chernin.

Voice Vote: YES 5 NO 0

Five in favor, none opposed. Motion carried.

The Public Hearing closed at 6:40 pm.

The Regular Planning Board Meeting officially opened at 6:41 PM.

ROLL CALL:

Board Members Present: Chairwoman Kate Lawrence, Roberto Romano, Elizabeth Callahan, Mark Dye, Lois Chernin and alternate Katie Higgins.

Board Members Excused: None

In Attendance Tonight: Town Attorney Beth Westfall, Codes Officer Dan Wilber, Planning Board Recording Secretary Teresa DeSantis

REVIEW OF THE MEETING MINUTES FOR THE JULY 17 TH REGULAR MEETING:

The unapproved meeting minutes for the July 17, 2018 Planning Board Regular Meeting were reviewed. A Motion was made by Elizabeth Callahan to accept the Minutes as read.

MOTION to accept the July 17, 2018 Planning Board Regular Meeting Minutes as read.

Motion by Elizabeth Callahan and seconded by Roberto Romano.

Voice Vote: YES 5 NO 0

Five in favor, none opposed. Motion carried.

NEW BUSINESS:

Douglas Yager-Special Use Permit Application- For a small engine repair shop- 3797 State Highway 7 - TM # 308.00-1-16.02:

Douglas Yager was present at the meeting tonight to discuss his special use permit application for a small engine repair shop in an existing 26' x 30 ' two-bay garage behind his house. Codes Officer Dan Wilber confirmed that Mr. Yager had paid the \$50.00 special use permit fee with the Town Clerk. Town Attorney Beth Westfall reviewed the State regulations and determined that this was a type 2 action under SEQRA. It falls under the category of a non-residential expansion or construction of less than 4000 square feet. A SEQRA type 2 action does not require completion of an environmental assessment form. Attorney Westfall also noted that the action was consistent with local land use controls and was a permitted use with a special use permit.

MOTION with discussion to follow, to declare it a Type 2 action under SEQRA.

Motion by Mark Dye and seconded by Elizabeth Callahan.

No discussion.

Voice Vote: YES 5 NO 0

Five in favor, none opposed. Motion carried.

The Planning Board then reviewed the application. The letter of concern from neighbor Daniel Webster about shared driveway use on the site was reviewed. Codes Officer Dan Wilber recommended posting signs at the site in a prominent location which read: "Do not block driveway."

Applicant Douglas Yager stated that he anticipated 5 total parking spaces at the business- 3 for parking and 2 for loading. The visibility and placement of lawnmowers outside the business was discussed. Mr. Yager stated that a neighbor's 8 foot fence already runs behind his property in an "L" shape, offering some buffering of the site. A discussion followed. Planning Board members would like to see the condition added to the approval of the application that no more than 10 pieces of equipment be stored on the outside of the building.

MOTION to approve the Special Use Permit application of Douglas Yager, provided that the following conditions are met:

- 1. That a sign be erected to prevent unauthorized parking in the driveway.**
- 2. That no more than 10 pieces of equipment will be stored outside the building, and that anything in excess of that number will be concealed.**
- 3. That the hours of operation be limited to Monday to Saturday 8 am to 8pm.**

Motion by Roberto Romano and seconded by Elizabeth Callahan.

Katie Higgins asked about waste handling and Code Officer Dan Wilber stated that this falls under the State DEC regulations.

Roll Call Vote: Roberto Romano: Yes, Elizabeth Callahan: Yes, Kate Lawrence: Yes, Mark Dye: Yes, Lois Chernin: Yes.

Five in favor, none opposed. Motion carried.

Upon the approval of the above Special Use Permit application, Codes Officer Dan Wilber issued a Sign Permit for Mr. Yager.

Discussion with Town Attorney Beth Westfall:

Town Attorney Beth Westfall was at the meeting tonight. The Planning Board discussed improving the Planning Board's procedural process. Planning Board members have identified the need to improve forms and procedures for common types of applications the Planning Board receives: Special Use Permits, Lot Splits, Minor and Major Subdivisions, and Boundary Line Adjustments. Beth Westfall recommended a checklist format. Also discussed was looking at the Zoning and Site Plan Review Laws and maps in detail so that future revisions of the regulations will bring all the land use laws into

alignment with each other. Dan Wilber will send Ms. Westfall a set of current Planning Board forms for her review.

OLD BUSINESS:

Memorial Trees:

Memorial trees will be planted to honor past Planning Board Chairman Stephen Butler and Planning Board member Marla Calabro. The trees are not currently in stock, and Dan will keep checking back with the nursery. He will go pick up the trees when they have arrived, and deliver them to Lois Chernin until planting. Lois Chernin will coordinate with the Highway Superintendent for the hole digging and placement of the trees.

COMMUNICATIONS AND PRIVILEGE OF THE FLOOR:

Codes Officer Dan Wilber said that he had received an application for a building permit to install a new modular in place of a mobile home. He said there will be a period of time while the modular is being installed with two homes on the property. Town Attorney Beth Westfall stated that Mr. Wilber has to authority to issue a temporary permit. The Codes Officer would like to draw up a legal agreement with the landowner so that the old home gets removed within a reasonable time frame.

Dan Wilber also stated that we had received the donation of a like-new photocopier from the Town Supervisor for use by the Planning Board. Thanks to the Town Supervisor for this donation!

TRAINING REPORTS: None.

MOTION to adjourn.

Motion by Roberto Romano and seconded by Elizabeth Callahan.

No discussion.

Voice Vote: YES 5 NO 0

Five in favor, none opposed. Motion carried.

The Meeting was adjourned at 8:00 PM.

Respectfully Submitted- Teresa DeSantis- Town of Otego Planning Board Recording Secretary